

December 14, 2007



**Via Hand Delivery**

United States Environmental Protection Agency, Region 10  
Claire Hong, Remedial Project Manager  
Environmental Cleanup Office  
1200 6th Ave., ECL-111  
Seattle, WA 98101

Re: Response to U.S. EPA CERCLA Section 104(e) Information Request  
Lower Duwamish Waterway, Seattle, Washington  
5225 East Marginal Way South, Seattle

Dear Ms. Hong:

This letter responds to EPA's September 17, 2007 letter asking Lehigh Northwest Cement Company to respond to an Information Request issue under CERCLA Section 104(e). We appreciate that, in your October 22, 2007 letter to me, EPA granted our request to extend the deadline for the response to December 14, 2007. The response to EPA's request is enclosed, including an index of the documents provided identifying the request to which each document responds.

To facilitate handling of the response, we are providing the documents in electronic format on compact discs. We are also providing large, oversized documents in hard copy. The documents are on two separate disks: one with most of the documents and a second containing the documents for which we are asserting business confidentiality claim under 40 C.F.R. Part 2 (the index for these documents is also separate). Consistent with 40 C.F.R. Section 2.203(b), each such document has a cover sheet and stamp identifying it as "Confidential Business Information." We request that for all documents with this designation, EPA take appropriate measures to properly safeguard the information and to protect against its improper disclosure, as required under 40 C.F.R. Section 2.211. We are providing these documents on a separate CD to facilitate identification and handling of these Confidential Business Information documents by EPA.




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On each CD, you will find folders corresponding to request numbers. Within each folder are the documents provided as responsive to that request. Please note that the imaging process resulted, in some cases, in the document cover sheet that we prepared to facilitate document identification being imaged as a standalone document (its own PDF). Please treat such cover sheets as the document identifier for all documents in the same folder. Please call if you have any questions about the way the documents are organized on the CDs.

Very truly yours,

KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP

By   
Kirk A. Lilley

KAL:mw

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Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION   |
|-------------|--|
| 2a          | 4/7/1986: Draft Environmental (SEPA) Checklist for Ocean Construction Supplies Limited   |
| 2a; 3b      | 4/10/1986: InterOffice memo from R. Harper (Genstar Corporation) to B. Kulla (Genstar Corporation) re lease documentation for proposed Seattle site  |
| 2a          | 5/2/1986: InterOffice memo from B. Kulla (Genstar) to R. Harper (Genstar) re confirmation of lease documentation for proposed Seattle site   |
| 2a; 3b      | 8/26/1986: Letter from R. Harper (Genstar) to B. Howe (Alaska Aggregate Corporation d/b/a Pacific Western Lines) re extension of option agreement and enclosure of 3/28/1986 Option Agreement between Genstar and Manson Construction & Engineering Company and Alaska Aggregate |
| 2a          | 9/25/1986: Letter from R. Harper (Genstar) to B. Howe (Alaska Aggregate Corp. d/b/a Pacific Western Lines) re extension of option agreement  |
| 2a          | 7/10/1986: Handwritten leased property description for Manson property   |
| 2a; 3b      | 10/31/1986: Amendment for Extension of Option Agreement – between Genstar Sand and Gravel Company, Manson Construction & Engineering Company, and Alaska Aggregate Corporation d/b/a Pacific Western Lines   |
| 2a          | 11/24/1986: Letter from R. Harper (Genstar) to B. Howe (Alaska Aggregate) re extension of option agreement   |
| 2a          | 12/19/1986: Letter from R. Harper (Ocean) to B. Howe (Alaska Aggregate) re extension of option agreement   |
| 2a; 3b      | 1/29/1987: Letter from R. Harper (Ocean) to B. Howe (Alaska Aggregate) re extension of option  |
| 2a          | 1/30/1987: Letter from C. Whiteman (Ocean) to B. Ray (Alaska Aggregate) enclosing payment for extension of lease agreement   |
| 2a          | 2/5/1987: Letter from M. Rohr (City of Seattle DCLU) to T. Mahoney ((Anderson Bjornstad)) approving Shoreline Substantial Development Permit for batch plant construction and enclosure of permit applications   |
| 2a          | 2/17/1987: Termination of Lease – between Manson and Ocean   |
| 2a; 3b      | 2/17/1987: Lease Agreement – between Manson and Ocean  |
| 2a          | 2/18/1987: Letter from G. Edwards (Manson) to R. Harper (Ocean) re lease agreement   |
| 2a; 3b      | 2/19/1987: Letter from T. Clancy (King County Real Property Division) to D. Dolmseth (Manson) re subtenancy of Genstar   |
| 2a; 3b      | 2/20/1987: InterOffice memo from R. Harper (Ocean) to B. Crundwell (Ocean) enclosing Seattle Lease Agreement between Manson and Ocean  |
| 2a          | 2/25/1987: Letter from R. Harper (Ocean) to B. Ray (Alaska Aggregate) re Lease Agreement – Manson Property   |
| 2a          | 5/25/1988: OVERSIZED – Drawings for Tilbury Cement Piping from Barge to Silos  |

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|-------------|--|
| 2a          | 11/22/1988: Seattle Fire Department – Temporary Underground Storage Tank Removal/Abandonment Permit  |
| 2a          | 11/30/1988: InterOffice memo from W. Sayer (OCSC) to C. Whiteman (OCSC) re Monthly Report for UST removal and other company issues   |
| 2a          | 2/10/1989: Washington State Department of Ecology's Underground Storage Tank Notification Form   |
| 2a          | 2/27/1989: InterOffice memo from T. Bowman (OCSC) to C. Whiteman (OCSC) re Tank Removal  |
| 2a          | 3/10/1989: Letter from O. Loshbough (Kennedy/Jenks Engineers) to T. Bowman (OCSC) re Tank Removal  |
| 2a; 2b      | 4/26/1989: InterOffice memo from B. Sayer (Ocean Construction Supplies Company) to C. Whiteman (OCSC) re Underground Storage Tanks Removal– East Marginal Way site   |
| 2a          | 4/26/1989: InterOffice memo from T. Wheaton (OCSC) to C. Whiteman (OCSC) re Storage Tank Removal Costs at East Marginal Way  |
| 2a          | 4/27/1989: Letter from C. Whiteman (OCSC) to G. Edwards (Manson Construction Co.) re underground storage tanks removal   |
| 2a          | 8/14/1991: Letter from B.P. Crundwell (CBR) to H.E. Cook (Stanley T. Scott & Co., Inc.) enclosing Insurance Certificates for Manson and King County  |
| 2a          | 5/3/1994: Underground Storage Tank Information Update Form   |
| 2a          | 11/1995: <i>Geotechnical Report – Proposed Cement Storage Tank for Tilbury Cement Company</i> (Shannon & Wilson, Inc.)   |
| 2a          | 1/1996: <i>Revised Geotechnical Report – Proposed Cement Storage Tank for Tilbury Cement Company</i> (Shannon & Wilson, Inc.)  |
| 2a          | 1/22/1996: DCLU – Environmental Checklist for Tilbury cement silo  |
| 2a          | 3/8/1996: Memo from K. Green (CH2M Hill) to R. Nelson (Cadman) re Response to Geotechnical comments from DCLU for stormwater treatment system  |
| 2a          | 6/24/1996: Letter from B. Clark and W.P. Grant (Shannon & Wilson, Inc.) to S. Turner (Cadman) re regulatory records review   |
| 2a          | 12/5/1996: Letter from K. Stark (Boateng & Associates, Inc.) to P. Terrell (King Co. Property Services Division) re site visit for King County Duwamish Waterway Properties                                  |
| 2a          | 12/9/1996: Letter from P. Terrell (King County – Dept. of Construction & Facilities) to D. Dolmseth (Manson Construction), et al. re Phase I Environmental Assessment and site visit by Boateng & Associates |
| 2a          | 12/17/1996: Site Visit Checklist for Cadman site   |
| 2a          | 7/17/1997: <i>Geotechnical Report – Proposed Office Building for Tilbury Cement Company</i> (Shannon & Wilson, Inc.)   |

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|-------------|---|
| 2a          | 12/30/1997: Tank Status Evaluation Reports  |
| 2a          | 12/30/1997: Underground Storage Tank – Tightness Testing Checklist  |
| 2a          | 8/17/1998: Cadman (Seattle), Inc. Tank Compliance Form  |
| 2a          | 9/15/1998: Letter from G. Edwards (Manson) to C. Whiteman (Cadman) re Manson / King County Lease Renewal  |
| 2a          | 10/23/1998: Fax from P. McGarry (Manson Construction) to R. Nelson (Cadman) of excerpt pages to Phase I Study   |
| 2a          | 10/26/1998: Fax from R. Hansen (Cadman) to P. McGarry (Manson Construction) enclosing underground storage tank checklists and data reports  |
| 2a          | 12/18/1998: Fax from M. McCullough (West Pac) to R. Nelson (Cadman) enclosing underground storage tank retrofit/repair checklist for completion                                   |
| 2a          | 6/18/1999: Excerpt from Draft <i>Endangered Species Act Impact Analysis, Cadman, Inc., Western Washington</i> (Pentec Environmental), June 18, 1999 (Section 3.4 Seattle Plant)   |
| 2a          | 6/7/2000: Site plan drawing, titled “Proposed Tripper Conveyor Installation for Cadman Concrete / Tilbury Cement”   |
| 2a          | 11/1/2000: Memo from R. Hansen, et. al. (Cadman) to M. Bennett, et al. (Cadman) enclosing inspection notes and photos [CBI?]  |
| 2a          | 12/4/2000: Memo from R. Hansen (Cadman) to M. Bennett, et al. (Cadman) re ESA Action Items  |
| 2a          | 6/6/2001: Letter report from M. McGinnis (Geotech Consultants, Inc.) to S. Turner (Cadman) re Liquefaction Assessment and Foundation Considerations for proposed tripper conveyor |
| 2a          | 9/17/2001: Letter from J. Jerabek (Cadman) to H. Ip (DCLU) re Cadman Seattle Green Team project – Phase 1   |
| 2a          | 3/5/2004: State Dept. of Ecology UST Site Inspection Report   |
| 2a          | 3/26/2004: Underground Storage Tank – Cathodic Protection Checklist   |
| 2a          | 4/1/2004: Proposal for Cathodic Protection Repair from Saybr Contractors, Inc. to Cadman  |
| 2a          | 7/30/2004: UST - Ultrasonic Thickness Inspection Report – from NW Tank Lining & Inspection Inc. to Cadman   |
| 2a          | 8/30/2004: Underground Storage Tank – Cathodic Protection Checklist   |
| 2a          | Undated : 6/22 drawings for Shed Floor Plan, Power Riser, and Partial Site Diagram for Tilbury Cement Co.   |

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|-------------|---|
| 2a          | Undated: Site drawing for Cadman (Seattle)  |
| 2a          | Undated: Drawing to Seattle Barge Power Supply  |
| 2a          | Undated: OVERSIZED – Site/Vicinity Plan   |
| 2b          | 5/15/1986: OVERSIZED – Site Plan & Layout for Proposed Genstar Sand & Gravel Ready-Mix Concrete Plant   |
| 2b          | 9/18/1986: Letter from T. Mahoney (Anderson Bjornstad) to J. Barnes (DCLU) re Genstar plant permit and enclosure of background info on air and water pollution control mitigation               |
| 2b          | 11/7/1986: Letter from G. Yamane (Shannon & Wilson, Inc.) to T. Mahoney (Andersen, Bjornstad) re test results on proposed timber pile installation at Genstar proposed ready-mix concrete plant |
| 2b          | 11/13/1986: Letter from T. Mahoney (Anderson Bjornstad) to J. Barnes (DCLU) re modification of Genstar plant site layout and terminal construction revisions                                    |
| 2b          | 3/6/1987: Baugh Industrial Contractors Field Work order re buried concrete  |
| 2b          | 4/13/1987: Letter from C. Kraft (Baugh) to S. Wittmann-Todd (Anderson, Bjornstad, Kane and Jacobs) enclosing change order proposals nos. 7-13 for review and acceptance                         |
| 2b          | 4/13/1987: Change order proposal evaluation to 4/13/1987 Baugh Industrial's 4/13/1987 letter re same  |
| 2c          | 2/25/1991: Letter from W. Baxter (Corps) to J. Spearman Consulting enclosing 2/9/1991 Application for Dept. of Army Permit for Duwamish River work  |
| 2c          | 3/4/1991: U.S. Army Corps. of Engineers letter to Ocean Construction Supplies granting dredge authorization 0YB-1-014475  |
| 2c          | 3/6/1991: City of Seattle Exemption from Shoreline Management Act Substantial Development Permit Requirement for maintenance dredging   |
| 2c          | 7/1/1992: Department of Fisheries Hydraulic Project Approval for maintenance dredging   |
| 2c          | 7/1/1992: Inspection Record for Permitted Work in Navigable Waters for Pacific North Pacific Division, Corps. of Engineers  |
| 2c          | 1/14/1994: Letter from J. Spearman Consulting to J. Kennedy (Corps) re Corps authorization 0YB-1-014475   |
| 2c          | 2/2/1994: Letter from A. Uhrich (Corps) to J. Spearman Consulting re Corps authorization 0YB-1-014475   |
| 2c          | 2/8/1994: Letter from J. Spearman (Spearman Consulting) to T. Barton (Cadman) enclosing permit documents for removing accumulated gravel  |

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|-------------|--|
| 2c          | 12/9/1994: Letter from J. Spearman (Spearman Consulting) to J. Davis (Cadman) enclosing DCLU permit fees for Maintenance Dredging Permit – Project No. 940579                        |
| 2c          | 1/27/1995: Letter from R. Carman (WDFW) to Cadman, Inc. re Hydraulic Project Application (HPA #00-42848-01)  |
| 2c          | 2/6/1995: Fax from Spearman Consulting to Cadman enclosing WDFW letter re HPA application (1/27/1995) and Spearman response to WDOF 1/27/1995 letter                                 |
| 2c          | 2/13/1995: Letter from J. Spearman (Spearman Consulting) to M. Bennett (Cadman) re update on hydraulic permit, enclosing Seattle DCLU permit conditions and 2/13/1995 letter to DCLU |
| 2c          | 3/16/1995: Fax from R. Carman (WDFW) to J. Spearman (Spearman Consulting) enclosing Cadman, Inc. Hydraulics Permit Approval, dated 3/16/1995   |
| 2c          | 3/21/1995: Seattle Department of Construction and Land Use Master Use and Construction Application and Permit – Project No. 9405798, Permit No. 678842                               |
| 2c          | 3/30/1995: Letter from J. Spearman (Spearman Consulting) to M. Bennett (Cadman) re Conveyor Spillage Removal Permits, with enclosures  |
| 2c          | 6/2/1997: Dept. of Fisheries Hydraulic Project Approval  |
| 2c          | 10/30/1998: Fax from T. Muller (WDFW) to B. Gordon (Manson Construction) re hydraulic project approval   |
| 2c          | 1/30/2002: Joint Aquatic Resources Permit Application for Duwamish River with U.S. Army Corps. of Engineers  |
| 2c          | 2/28/2002: Draft <i>Biological Evaluation – Duwamish Waterway Facility Dredging Project</i> , Pentec Environmental   |
| 2c          | 3/1/2002: Transmittal from B. Stuart (Pentec) to S. Turner (Cadman) re draft biological evaluation and cover letters re BE and JARPA agency submittals                               |
| 2c          | 3/22/2002: Letter from P. Erstad (WDFW) to B&T Design and Engineering, Inc. re 3/4/2002 hydraulic project application  |
| 2c          | 10/9/2002: Drawings for ramp arrangement and proposed new cement barge dredged area plan view  |
| 2c          | 1/29/2003: Letter from R. Stuart (MCS Environmental) to P. Erstad (WDFW) re additional information for hydraulic project application – proposed dredging project                     |
| 2c          | 1/29/2003: Letter from R. Stuart (MCS) to S. Skadowski (Corps) re comments letter for biological evaluation  |
| 2c          | 2/24/2003: Letter from S. Skadowski (Corps) to R. Stuart (MCS) re revised biological evaluation and hydraulics project application process   |
| 2c          | 3/3/2003: Letter from P. Erstad (WDFW) to R. Stuart (MCS) re additional information packet   |
| 2c          | 3/19/2003: Letter from R. Stuart (MCS) to S. Skadowski (Corps) re 2/24/2003 comment letter on biological evaluation  |

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|-------------|---|
| 2c          | 4/2/2003: Letter from R. Stuart (MCS) to S. Skadowski (Corps) enclosing revised drawings for biological evaluation  |
| 2c          | 4/10/2003: Revised scope of work and budget letter from R. Stuart (MCS) to S. Turner (Cadman) for East Marginal Way Duwamish River Sediment Characterization                        |
| 2c          | 4/11/2003: Letter from S. Skadowski (Corps) to R. Stuart (MCS) re biological evaluation and addendum  |
| 2c          | 8/1/2003: Letter from S. Stirling (Corps) to B. Stuart (MCS) re June 2003 sampling and analysis plan for Lehigh NW Duwamish Waterway Facility                                       |
| 2c          | 11/5/2003: Letter from S. Skadowski (Corps) to R. Stuart (MCS) requesting additional information for processing of hydraulics project permit application                            |
| 2c          | 12/3/2003: Letter from R. Gilmour (MCS) to S. Skadowski (Corps) re 11/5/2003 letter concerning completion of sediment testing for the proposed dredging project                     |
| 2c          | 1/27/2004: <i>Puget Sound Dredged Disposal Analysis for the Lehigh Northwest Duwamish Waterway Facility – Full PSDDA Characterization</i> , MCS Environmental                       |
| 2c          | 1/27/2004: Letter from R. Gilmour (MCS) to S. Stirling (Corps) submitting PSDDA full characterization report for review and approval  |
| 2c          | 2/27/2004: Memo from C. Whitmus (MCS) to file re meeting with D. Brock (WDFW)   |
| 2c          | 3/4/2004: Letter from D. Brock (WDFW) to M. Bennett (Lehigh Northwest) requesting clarification of information for dredging permit application                                      |
| 2c          | 5/4/2004: Letter from K. McArthur (MCS) to M. Bennett (Lehigh) submitting draft biological evaluation for review, response to comments matrix, and copies of correspondence re same |
| 2c          | 6/4/2004: SEPA Checklist (from Lehigh Northwest to City of Seattle)   |
| 2c          | 6/4/2004: Draft <i>Biological Evaluation</i> , MCS Environmental  |
| 2c          | 6/4/2004: Seattle DPD Project Number Information/Correction Sheet Notification  |
| 2c          | 6/7/2004: Letter from K. McArthur (MCS) to S. Skadowski (Corps) submitting JARPA, CZM Form and draft biological evaluation for review   |
| 2c          | 6/22/2004: Seattle DPD Screening & Submittal Checklist  |
| 2c          | 6/23/2004: Fax from R. Moore (DPD) to Lehigh Northwest and MCS re pre-application site visit  |
| 2c          | 6/24/2004: JARPA Application for dredging   |
| 2c          | 8/2/2004: Letter from K. McArthur (MCS) to L. Praye (WDFW) re 7/27/2004 letter for hydraulic project approval   |
| 2c          | 8/16/2004: Letter from S. Skadowski (Corps) to K. McArthur (MCS) re completion of biological evaluation review and enclosure of 8/13/2004 Memorandum of Record                      |



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|-------------|---|
| 2c          | 9/21/2004: Transmittal from K. McArthur (MCS) to S. Skadowski (Corps) enclosing 9/16/2004 draft biological evaluation addendum  |
| 2c          | 11/29/2004: Letter from K. McArthur (MCS) to S. Skadowski (Corps) re NMFS comments on biological evaluation   |
| 2c          | 12/13/2004: Letter from K. McArthur (MCS) to B. Stevens (DPD) re Seattle Municipal Code 23.60.032   |
| 2c          | 12/16/2004: Fax from M. Bennett (Cadman) to K. McArthur (MCS) enclosing undated Open Water Disposal Site permit application with Washington DNR                                       |
| 2c          | 12/21/2004: Letter from K. McArthur (MCS) to L. Praye (WDFW) re 12/21/2004 email on HPA mitigation  |
| 2c          | 12/29/2004: Hydraulic Project Approval – Lehigh Dredging (from WDFW to Lehigh)  |
| 2c          | 1/3/2005: Draft <i>Mitigation Plan, Duwamish Waterway Facility Dredging Project</i> , MCS Environmental   |
| 2c          | 1/14/2005: Letter from B. McFarland (DOE) to M. Bennett (Lehigh Northwest) approving water quality certification for proposed dredging and enclosing 1/19/2005 DOE order re same      |
| 2c          | 1/19/2005: Notification from D. Bales (DOE) to M. Bennett (Lehigh Northwest) re City of Seattle's 1/7/2005 approval for Lehigh's shoreline substantial development permit application |
| 2c          | 1/25/2005: <i>Quality Control Plan for Dredging and Disposal – Lehigh NW Duwamish Waterfront Facility Dredging Project</i> , Manson Construction Co. for Lehigh Northwest             |
| 2c          | 1/27/2005: Revision 1 – <i>Quality Control Plan for Dredging and Disposal</i> , Manson Construction   |
| 2c          | 1/28/2005: Dept. of the Army Dredging Permit Terms and Conditions   |
| 2c          | 1/28/2005: Letter from M. Walker (Corps) to M. Bennett (Lehigh Northwest) re authorization to perform work  |
| 2c          | 1/31/2005: <i>Water Quality Monitoring Plan – Duwamish Waterway Facility Dredging Project</i> , MCS Environmental   |
| 2c          | 2/5/2005-2/12/2005: Water Quality Monitoring – Daily Reports (from K. McArthur (MCS) to Lehigh Northwest)   |
| 2c          | 2/23/2005: Invoice from Regional Disposal Company to Lehigh Northwest for off-loading dredging spoils   |
| 2c          | 5/12/2005: Representative Sample Certification for dredge spoils sampled 8/29/2003  |
| 2c          | Undated: Unsigned Analysis and Decision of the DPD Director – SEPA Determination re Shoreline Substantial Development permit for sediment dredging                                    |
| 2c          | Undated: Drawings, Proposed Dredging Area (drawing E1, S1-S5, F20)  |

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|-------------|--|
| 2c          | Undated: Chart of depths by Cadman dock  |
| 2c          | Undated: Waterway figures, with 10/28/02 email from D. Pantilla (WDFW) re fish spawning habitat  |
| 2e; 2g      | Undated: List of chemicals at Seattle location with manufacturer and MSDS date   |
| 2e; 2g      | Undated: MSDS sheets for chemicals at Seattle location   |
| 2e; 2g      | Undated: Handwritten note re gas bottles, with MSDS sheets for gases   |
| 2e          | 12/21/1988: EPA acknowledgement of Notification of Hazardous Waste Activity for Ocean Construction Supplies Co.  |
| 2e; 2g      | 3/1992: Seattle Fire Dept. – Hazardous Material Inventory Statement  |
| 2e; 2g      | 3/6/1992: Revised Notification of Dangerous Waste Activities Form  |
| 2e; 2g      | 1994-1999: Uniform Hazardous Waste Manifests   |
| 2e; 2g      | 2/8/1994: 1993 Generator Annual Dangerous Waste Report   |
| 2e; 2g      | 3/22/1994: Fax from B. Petty (Rochester Midland – Chemistry) to Cadman enclosing information on Midfloc PW 1319E                                       |
| 2e; 2g      | 2/24/1995: Handwritten memo from M. Bennett (Cadman/Tilbury Cement) to M. Woodke (Cadman) re hazardous waste disposal amounts                          |
| 2e; 2g      | 1996: CleanCare Solvent Waste Summary  |
| 2e; 2g      | 2/21/1996: Dangerous Waste Report 1995   |
| 2e; 2g      | 10/21/1996: Hazardous Material Site Map for Cadman/Tilbury Inc.  |
| 2e; 2g      | 10/21/1996: Hazardous Material Inventory Statement for Cadman (Seattle), Inc.  |
| 2e; 2g      | 1997-1999: CleanCare disposal invoices   |
| 2e; 2g      | 1998-1999: Dangerous Waste Annual Reports  |
| 2e; 2g      | 2/17/2000: Memo from R. Hansen (Cadman) to J. Adcox, et al. (Cadman) re Hazardous Waste site procedures  |
| 2e; 2g      | 1/26/2001: Fax from P. Keene (Basin Oil) to J. Podenski (Cadman) enclosing collection report of petroleum waste streams by Basin Oil Co., Inc. in 2000 |
| 2e; 2g      | 2001-2004: Non-Hazardous Waste Manifests   |
| 2e; 2g      | 1/30/2002: Letter from L. Moreno (Cadman) to Seattle Fire Marshal re name change for Fire Dept. permits  |

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|-------------|---|
| 2e; 2g      | 2002-2005: Community Right-to-Know Forms – Hazardous Chemicals Inventories  |
| 2e          | 6/25/2004: Emerald Recycling Bill of Lading   |
| 2e; 2g      | Undated: Hazardous Material Permit Applications re UST and diesel fuel dispensing; and welding & cutting  |
| 2e; 2g      | Undated: Permit Applications re repair garage and LPG storage   |
| 2f          | 12/1/1986: Letter from G.F. Fitzmaurice (Travis, Fitzmaurice & Associates, Inc.) to K. Packard (Seattle City Light) enclosing OVERSIZED Electrical Plan |
| 2f          | 3/9/1987: Quotation from Klockner-Moeller Industrial Motor Control Manufacturer to Universal Dynamic re motor control center for Genstar Truck Terminal |
| 2f          | 3/10/1987: OVERSIZED – Control Panel drawing for Genstar Truck Terminal   |
| 2f          | 4/21/1987: <i>Electrical Specifications, Seattle Truck Terminal</i> , Universal Dynamics Limited for Tilbury Cement Limited                             |
| 2f          | 5/1/2004: Letter from D. Keithly to unknown recipients re update from 4/30/2004 informational meeting with Seattle City Light                           |
| 2f          | 4/4/2005: Lehigh Cement site visit report from B. Chubb re electrical   |
| 2h          | Rec'd 4/2/1986: Plot Plan   |
| 2h          | 11/12/1986: OVERSIZED - Plot Plan showing catch basins  |
| 2h          | 6/27/1988: Memo from W.R. Sayer (OCSC) to B.P. Crundwell re flood emergency plan  |
| 2h          | 10/28/1988: Letter from T. Bowman (OCSC) to R. Koch (DOE) re NPDES permit issuance  |
| 2h          | 10/21/1988: Memo from T. Bowman (OCSC) to C. Whiteman (OCSC) enclosing water sampling test result values (5/26 - 9/15/1988)                             |
| 2h          | 10/24/1988 letter from T. Mahoney (Andersen Bjornstad Kane Jacobs, Inc.) to C. Whiteman (OCSC) re plant storm drainage system review                    |
| 2h          | 11/8/1988: Handwritten notes re East Marginal Way Storm Drain (from Genstar to A.R. Watt)   |
| 2h          | 1988-1989: "Water Test Results 88-89" file containing Laucks Testing Labs water samples data for tests 5/26/1988 - 12/21/1989                           |
| 2h          | 2/1989: Site Plan with drainage features  |
| 2h          | 1990: Laucks Testing Labs water samples data for tests 1/4/1990 - 11/30/1990  |
| 2h          | 2/1/1991: <i>Final Sampling and Analysis Plan (Amended)</i> – Tilbury Cement Company, NPDES Permit WA-000185-6(I)                                       |

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U.S. EPA CERCLA Section 104(e) Information Request

December 14, 2007

Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION   |
|-------------|--|
| 2h          | 1990-1991: Water Test Results – Laucks Testing Labs water samples data for tests 12/10/1990 - 12/27/1991                                 |
| 2h          | Various dates 1990s: Discharge Monitoring Reports  |
| 2h          | 5/29/1991: Letter from G. Shervy (DOE) to W. Sayer (OCSC) re diffusion system/mixing zone determination                                  |
| 2h          | 11/19/1991: WA Secretary of State Certificate of Amendment for Ocean Construction Supplies Company name change to Cadman (Seattle), Inc. |
| 2h          | 1992: Laucks Testing Labs water samples data for tests 1/2/1992 - 12/30/1992   |
| 2h          | 2/15/1992: Letter from M. Lipe (Cadman) to L. Zinner re Cadman name change   |
| 2h          | 8/8/1992: Letter from T. Bowman (Cadman) to Ecology re DMRs, May and June 1992 with attachments  |
| 2h          | 9/4/1992: Letter from Charles Whiteman (Cadman) to DOE re 1992 NPDES stormwater permit renewal application (no enclosure)                |
| 2h          | 10/11/1992: Letter from B. Stevens (Metro) to Cadman attaching 10/6/1992 Industrial Waste Discharge Permit Authorization                 |
| 2h          | 11/18/1992: NPDES and General Permit for Stormwater Discharges   |
| 2h          | 12/4/1992: DOE Telephone Record of call from T. Bowman (Cadman)  |
| 2h          | 12/29/1992: Letter from M. Kautz (DOE) to OCSC enclosing 12/29/1992 Notice of Violation  |
| 2h          | 1993: Water Test Results – Laucks Testing Labs water samples data for tests 1/7/1993 - 12/10/1993  |
| 2h          | 1993: Discharge Monitoring Reports from June-October 1993  |
| 2h          | 1/19/1993: DOE Telephone Record of call from T. Bowman (Cadman)  |
| 2h          | 1/29/1993: Letter from M. Kautz (DOE) to OSCC enclosing Order No. DE 92WQ-N338   |
| 2h          | 3/3/1993: Memo from M. Lipe (Cadman) to T. Barton (Cadman) re SPCC Plan  |
| 2h          | 3/18/1993: Letter from M. Lipe (Cadman) to M. Kautz (DOE) re Order No. DE 92WQ-N338 and enclosing best management practices              |
| 2h          | 3/24/1993: Memo from L. Zinner to J. Glenn re Cadman (Ocean Construction) Order No. DE 92WQ-N338   |
| 2h          | 4/1/1993: Letter from M. Kautz (DOE) to M. Lipe (Cadman) enclosing Order No. DE 92WQ-N338 (First Amendment)                              |
| 2h          | 4/15/1993: Letter from R. Shearer (Cadman) to L. Zinner (DOE) re Cadman name change and environmental consultant                         |

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December 14, 2007

Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION  |
|-------------|---|
| 2h          | 5/28/1993: Letter from R. Shearer (Cadman) to L. Zinner (DOE) re Cadman NPDES Permit Issues   |
| 2h          | 6/21/1993: Letter from C. Vermeyen (Nalco) to S. Turner (Cadman) re water treatment product for Cadman Seattle plant                              |
| 2h          | 6/22/1993: Draft letter from DOE to R. Shearer (Cadman) re wastewater discharge permit fees   |
| 2h          | 7/13/1993: Letter from R. Shearer (Cadman) to L. Zinner re Cadman, NPDES Permit Issues  |
| 2h          | 7/21/1993: Letter from DOE to R. Shearer (Cadman) re Cadman NPDES Permit Renewal (incomplete)   |
| 2h          | 7/26/1993: EPA NPDES Compliance Inspection Report for Cadman Facility from 7/19/1993 visit  |
| 2h          | 8/3/1993: EPA NPDES stormwater permit application and public notice   |
| 2h          | 8/19/1993: Personal Service Report - Notes from C. Vermeyen (Nalco Chemical Company) to T. Barton & M. Bennett (Cadman)                           |
| 2h          | 8/31/1993: Cadman (Seattle) <i>Environmental Cleanup Plan</i>   |
| 2h          | 10/1/1993: Letter from J. Glynn (DOE) to R. Shearer (Cadman) enclosing NPDES waste discharge permit (10/1/1993-10/1/1998 period)                  |
| 2h          | 10/8/1993: Memo from R. Shearer (Cadman) to T. Barton, et al. (Cadman) enclosing 10/1/1993 Cadman (Seattle), Inc. NPDES permit                    |
| 2h          | 12/7/1993-4/1994: Site Plans – Stormwater Catch Basins (Hart Crowser)   |
| 2h          | 12/7/1993: InterOffice memo from S. Turner (Cadman) to R. Shearer (Cadman) re Seattle Storm System  |
| 2h          | 1993-1994: Water Sampling Data (11/5/1993-4/21/1994 period)   |
| 2h          | 1/6/1994: InterOffice memo from S. Turner (Cadman) to R. Shearer (Cadman) re Seattle Stormwater   |
| 2h          | 1/7/1994: Letter proposal from R. Howie (Process Engineers and Equipment Corporation) to T. Barton (Cadman) for clarifier system for water runoff |
| 2h          | 1/24/1994: Letter from C. Vermeyen (Nalco Chemical Co. ) to T. Barton (Cadman) re January 17 stormwater sampling results at the Seattle Plant     |
| 2h          | 2/17/1994: InterOffice memo from S. Turner (Cadman) to C. Whiteman (Cadman) re Seattle Storm Water Update   |
| 2h          | 3/3/1994: Letter to C. Whiteman (Cadman) re Seattle Stormwater  |
| 2h          | 3/14/1994: InterOffice memo from S. Turner (Cadman) to C. Whiteman (Cadman) re Seattle Stormwater Update  |
| 2h          | 4/4/1994: Memo from R. Shearer (Cadman) to A. Moore (Cadman) enclosing 3/30/1994 NPDES <i>Engineering Report</i> , Hart Crowser                   |

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Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION   |
|-------------|--|
| 2h          | 4/28/1994: Transmittal from T. Stotz (Hart Crowser) to L. Zinner (DOE) enclosing 4/28/1994 Spill Control Plan; and Solid Waste Control Plan      |
| 2h          | 4/28/1994: Letter from T. Noyes (Hart Crowser) to T. Barton (Cadman) enclosing draft response to Ecology's 4/15/1994 letter                      |
| 2h          | 4/28/1994: <i>Spill Control Plan – Cadman Seattle Facility</i> , Hart Crowser  |
| 2h          | 4/28/1994: <i>Solid Waste Control Plan – Cadman Seattle Facility</i> , Hart Crowser  |
| 2h          | 5/23/1994: Seattle Stormwater averages (11/25/1992 - 5/16/1994)  |
| 2h          | 6/16/1994: Seattle Stormwater averages (1/4/1989 - 5/16/1994)  |
| 2h          | 6/21/1994: InterOffice memo from S. Turner (Cadman) to R. Shearer (Cadman) re cost breakdown for Seattle plant stormwater equipment              |
| 2h          | 10/5/1994: Memo from B. York (CH2M Hill) to P. Elardo (DOE) re Alternatives to Handle 10 Year 24 Hour Storm Event                                |
| 2h          | 10/21/1994: Letter from P. Elardo (DOE) to R. Nelson (Cadman) re comments on Sept. 1994 AKART analysis draft                                     |
| 2h          | 10/24/1994: EPA NPDES Compliance Inspection Report   |
| 2h          | 12/1994: Final <i>AKART Analysis</i> , CH2M, submitted to Ecology  |
| 2h          | 12/1994 - 10/1997: Hand written "Rain Gauge Measurements"  |
| 2h          | 12/14/1994: Letter from W. Bratz (Tilbury) to DOE enclosing Tilbury's 12/13/1994 Notice of Intent for General Stormwater Permit                  |
| 2h          | 2/1995: Draft <i>Stormwater Catch Basin Filters Testing Program</i> , CH2M Hill  |
| 2h          | 2/1995: Draft <i>Stormwater Discharge Sampling &amp; Analysis Plan</i> , CH2M Hill   |
| 2h          | 2/9/1995: Letter from J. Smith (Foss Env't'l) to R. Nelson (Cadman) enclosing proposal for Catch Basin Filter Inspection and Maintenance Service |
| 2h          | 2/28/1995 - 3/8/1995: Handwritten notes re Catch basin filters and drains  |
| 2h          | 3/14/1995: Fax from B. Farmer (CH2M Hill) to M. Bennett (Cadman) with catch basin observations   |
| 2h          | 3/20/1995: Fax from EMCON Northwest, Inc. to M. Bennett (Cadman) with information on clarifier and catch basin filters                           |
| 2h          | 4/10/1995: Letter from R. Nelson (Cadman) to P. Elardo (DOE) enclosing Catch Basin Filter Test Addendum  |
| 2h          | 5/2/1995: Fax from Laucks Testing to M. Bennett (Cadman) of water certificate analysis – collected on 5/2/1995                                   |
| 2h          | 4/7/1995 - 5/5/1995: CBF Logs for catch basins filters (Foss Env't'l)  |
| 2h          | 5/9/1995: Fax from Robin (Cadman) to M. Bennett (Cadman) of draft Spill Control Plan for Cadman Seattle Facility                                 |

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Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION   |
|-------------|--|
| 2h          | 5/9/1995: Memo from J. Smith (Foss) to M. Bennett (Cadman) re CBF Monthly Monitoring & Inspection Report (4/7/1995 - 5/5/1995)                                       |
| 2h          | 5/11/1995: M. Bennett (Cadman) notes re Testing of Foss Environmental Stream Guard Filters   |
| 2h          | 5/15/1995: Memo from R. Nelson (Cadman) to M. Bennett (Cadman), et al., enclosing Spill Prevention and Emergency Cleanup Plan for Cadman (Seattle)                   |
| 2h          | 6/1995: <i>Addendum – Final AKART Analysis for Cadman (Seattle), Inc.</i> , CH2M Hill  |
| 2h          | 9/1995: <i>Draft Engineering Report – Stormwater Treatment System</i> , CH2M Hill  |
| 2h          | 9/1995: <i>Final Engineering Report – Stormwater Treatment System</i> , CH2M Hill (missing pages)  |
| 2h          | 11/21/1995: Preliminary Diagrams: Site plan and Wet Detention Vault; Sump Pump; Polymer Secondary Containment Pad and Notes; Electrical; Stormwater Treatment System |
| 2h          | 1/3/1996: OVERSIZED - Site plan and Wet Detention Vault; Sump Pump; Polymer Secondary Containment Pad and Notes; Electrical; Stormwater Treatment System             |
| 2h          | 1/5/1996: Master Use and Construction Application and Permit – Stormwater Treatment System Installation  |
| 2h          | 1/10/1996 - 11/7/1997: Chain of Custody Records – water sample testing from Laucks Testing to M. Bennett (Cadman)  |
| 2h          | Handwritten notes on water samples (1/15/1996 - 4/23/1996)   |
| 2h          | 1996: Laucks Testing Labs water samples data for tests in 1996   |
| 2h          | 5/13/1996: Collection of site plan materials for Cadman (Seattle), Inc. Stormwater Treatment System file (from CH2M Hill to DCLU)                                    |
| 2h          | 5/17/1996 - 11/18/1997: Stormwater Sampling Data – catch basin #14   |
| 2h          | 6/25/1996: Letter from R. Fritzen (DOE) to D. Taylor (Tilbury) re DCLU Decision on Shoreline Substantial Development permit for stormwater system installation       |
| 2h          | 8/19/1996: File re Stormwater Vault (includes photographs and calculations)  |
| 2h          | 10/17/1996: Letter from R. Nelson (Cadman) to C. Skog (DOE) re AKART timeline  |
| 2h          | 10/21/1996: Revised Construction Schedule for Cadman Wet Vault – handwritten by Cascade Utilities, Inc.  |
| 2h          | 1997: Water Test Results – Laucks Testing Labs water samples data for tests 1/17/1997 - 11/18/1997   |
| 2h          | 1/28/1997: Letter from M. Bennett (Cadman) to R. Nelson (Cadman) re Stormwater Retention Vault   |
| 2h          | 4/30/1997: Letter from J. Glynn (DOE) to R. Nelson (Cadman) re approval of O&M Manual for Cadman   |

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Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION  |
|-------------|---|
| 2h          | 10/13/1997: Letter from J. Bowman (King Co.) to M. Bennett (Cadman) enclosing 10/11/1997 minor discharge authorization                      |
| 2h          | 4/24/1998: Letter from R. Nelson (Cadman) to L. Zinner (DOE) enclosing signed EPA forms for renewal of Cadman's stormwater discharge permit |
| 2h          | 10/23/1998: Letter from J. Glynn (DOE) to C. Whiteman (Cadman) re Extension of NPDES Permit   |
| 2h          | 1999: Water Test Results – Laucks Testing Labs water samples data for tests 9/22/1999   |
| 2h          | 4/11/2000: <i>Emergency Spill Prevention Plan and Preventative Maintenance BMPs</i>   |
| 2h          | 8/10/2000: <i>Monitoring Plan</i> for Cadman/Tilbury Site at East Marginal Way  |
| 2h          | 8/10/2000: <i>Stormwater Pollution Prevention Plan</i> for Cadman/Tilbury Seattle Site  |
| 2h          | 9/6/2000: Letter from R. Hansen (Cadman) to J. Drabek (DOE) enclosing 8/24/2000 stormwater permit application for sand and gravel permit    |
| 2h          | 10/27/2000: Letter from T. Miller (DOE) to B. Meade (Cadman) enclosing Order No. DE 00WQNR-1661   |
| 2h          | 10/27/2000: Letter from J. Glynn (DOE) to R. Hansen (Cadman) enclosing NPDES Sand and Gravel General Permit (effective 8/6/1999)            |
| 2h          | 12/4/2000: Memo from R. Hansen (Cadman) to M. Bennett, et al. (Cadman) re Endangered Species Act Action Items                               |
| 2h          | 5/6/2002: <i>Emergency Spill Prevention Plan and Preventative Maintenance BMPs</i>  |
| 2h          | 8/13/2002: Letter from B. Badger (King Co. DNR) to M. Bennett (Cadman) authorizing wastewater discharge permit                              |
| 2h          | 10/12/2002: King County Minor Discharge Authorization No. 392-02  |
| 2h          | 1/19/2004: <i>Emergency Spill Prevention and Preventative Maintenance BMPs</i>  |
| 2h          | 2/12/2005: Unsigned letter from K. McArthur (MCS) to M. Bennett (Lehigh Northwest) re 2/11/2005 water quality monitoring                    |
| 2h          | Undated: Final AKART Determination Alternatives for Pump Stations   |
| 2h          | Undated: M. Bennett to Robin enclosing Laucks Chain of Custody Records for water sampling   |
| 2h          | Undated: Drawing titled, "Log Book for P.H. Readings"   |
| 2h          | Undated: Policies and Procedures for Controlling Pollutants at Ocean/Tilbury  |
| 2h          | Undated: Procedures for Unloading Aggregate Barges at Cadman (Seattle)  |



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Lehigh Northwest Cement Co.

5225 East Marginal Way, Seattle, WA

| REQUEST NO. | DOCUMENT DESCRIPTION   |
|-------------|--|
| 2h          | Undated: Off-Site Clean-Up and Reporting Procedures  |
| 2h          | Undated: Spill Prevention Control and Spill Response Plan; and Emergency and Evacuation Plan |
| 2h          | Undated: Spill Training – Cadman Seattle   |
| 2h          | Undated: File titled, "Emergency Plans Fire Dept. Spills"                                    |
| 2h          | Undated: Instructions for Filling Out Discharge Monitoring Report Forms                      |
| 2h          | Undated: Test Results for Cadman East Marginal from 1/4/1989-12/10/1993                      |
| 2h          | Undated: Spill Prevention Control and Countermeasure Plan                                    |
| 2h          | Undated: Environmental Action Plan   |
| 2h          | Undated: A. S. Moore List of items 1-19 for Tilbury / Cadman                                 |
| 5g          | 10/6/2006: Document Retention Policy, Cadman Policy 3003P                                    |

**Document Index – Confidential Business Information**  
U.S. EPA CERCLA Section 104(e) Information Request  
December 14, 2007  
Lehigh Northwest Cement Co.  
5225 East Marginal Way, Seattle, WA

| Request<br>No. | <b>CONFIDENTIAL BUSINESS INFORMATION</b><br>DOCUMENT DESCRIPTION   |
|----------------|--|
| 4a             | 2002: Consolidated Income, Deductions, and Taxes; Consolidated Ending Balance Sheet (Sch L) –<br><b>CONFIDENTIAL BUSINESS INFORMATION</b>  |
| 4a             | 2003: Consolidated Income, Deductions, and Taxes; Consolidated Ending Balance Sheet (Sch L) –<br><b>CONFIDENTIAL BUSINESS INFORMATION</b>  |
| 4a             | 2004: Consolidated Income, Deductions, and Taxes; Consolidated Ending Balance Sheet (Sch L) –<br><b>CONFIDENTIAL BUSINESS INFORMATION</b>  |
| 4a             | 2005: Consolidated Income, Deductions, and Taxes; Consolidated Ending Balance Sheet (Sch L) –<br><b>CONFIDENTIAL BUSINESS INFORMATION</b>  |
| 4a             | 2006: Consolidated Income, Deductions, and Taxes; Consolidated Ending Balance Sheet (Sch L) –<br><b>CONFIDENTIAL BUSINESS INFORMATION</b>  |
| 5a             | 2007: Comprehensive General Liability policy for 2007 policy year (Travelers Property Casualty Co. Policy No.<br>TC2J-GLSA-823K4232-TIL-07) – <b>CONFIDENTIAL BUSINESS INFORMATION</b> |
| 5a; 5b         | Schedules of insurance policies – <b>CONFIDENTIAL BUSINESS INFORMATION</b>   |

# ORIGINAL

Response to U.S. EPA CERCLA Section 104(e) Information Request  
Lower Duwamish Waterway  
5225 East Marginal Way, Seattle WA  
King County Parcels 1924049052 and 1924049070

1. Respondent Information

EPA served its information request on Lehigh Northwest Cement Company, which operates a cement terminal at 5225 East Marginal Way. Lehigh Northwest (formerly known as Genstar Sand and Gravel Company and Tilbury Cement Company) shares use of the property with an affiliated company, Cadman (Seattle), Inc. (formerly known as Ocean Construction Supplies Company). Documents that are responsive to EPA's questions are in both companies' files. This response, therefore, is submitted on behalf of both Lehigh Northwest Cement Company ("Lehigh Northwest") and Cadman (Seattle), Inc. ("Cadman"). As used in this response, the term "respondent" refers to either or both companies.

a. *Provide the full legal name and mailing address of the Respondent.*

Lehigh Northwest Cement Company  
2115 North 30th Street, Suite 202  
Tacoma, WA 98417

Cadman (Seattle), Inc.  
7554 - 185th Avenue, NE, Suite 100  
Redmond, WA 98052

b. *For each person answering these questions on behalf of Respondent, provide: full name; title; business address; business telephone number and FAX machine number.*

The following individuals and offices provided assistance in answering questions or providing responsive documents:

Jim Borgen, Vice President, Sales  
Lehigh Northwest  
2115 North 30th Street, Suite 202  
Tacoma, WA 98417  
Phone: (253) 682-0279  
Fax: (253) 682-1604

Michael Bennett, Terminal Manager

Lehigh Northwest  
5225 East Marginal Way S.  
Seattle, WA 98134  
Phone: (206) 764-4602  
Fax: (206) 767-2657

Barry Meade, Vice President & General Manager  
Cadman  
7554 - 185th Avenue, NE, Suite 100  
Redmond, WA 98052  
Phone: (425) 961-7325  
Fax: (425) 861-4046

Kyle Nelson, Regulatory Compliance Specialist  
Cadman  
7554 - 185th Avenue, NE, Suite 100  
Redmond, WA 98052  
Phone: (425) 961-7311  
Fax: (425) 861-4046

Robin Hansen  
Hansen Project Management  
4723 NE Park PL  
Seattle, WA 98115  
Phone/Fax: (206) 985-8044

Howard Hawk, Ready Mix Trucking Superintendent  
Cadman  
5225 East Marginal Way S  
Seattle, WA 98134  
Phone: (425) 867-1234  
Fax: (206) 767-2657

John Hutchinson, Senior Director – Tax  
Lehigh Cement Company  
7660 Imperial Way  
Allentown, PA 18195  
Phone: 610-366-4791  
Fax: 610-366-4851

Administration  
Lehigh Northwest  
7777 Ross Road  
Delta, BC V4K3S6 Canada  
Phone: (604) 279-6635  
Fax: (604) 946-2229

DuVonne Preisler  
Administrative Assistant  
Cadman  
7554 185<sup>th</sup> Avenue NE, Suite 100  
Redmond, WA 98073  
Phone: (425) 961-7336  
Fax: (425) 861-4046

David A. Rydzewski  
Director of Risk Management  
Lehigh Cement Company  
7660 Imperial Way  
Allentown, PA 18195  
Phone: 610-366-4725  
Fax: 610-366-4680

Bill Sayer, Vice President Aggregates  
Cadman  
7554 - 185th Avenue, NE, Suite 100  
Redmond, WA 98052  
Phone: (425) 961-7355  
Fax: (425) 861-4046

Bradd Statley, Director of Terminals  
Lehigh Northwest  
2115 North 30th Street, Suite 202  
Tacoma, WA 98417  
Phone: (253) 682-0279  
Fax: (253) 682-1604

Sam Turner, Supervisor  
Cadman  
PO Box 97038  
Redmond, WA 98073  
Phone: 425-961-7335  
Fax: 425-861-4046

Ivan Urnovitz, Director of Safety and Environ. Services  
Cadman  
7554 - 185th Avenue, NE, Suite 100  
Redmond, WA 98052  
Phone: (425) 961-7328  
Fax: (425) 861-4046

- c. *If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, and fax number.*

Kirk A. Lilley  
K&L Gates  
925 Fourth Ave., Suite 2900  
Seattle, WA 98104  
Phone: (206) 370-8387  
Fax: (206) 370-6117

- d. *State the dates during which Respondent held any property interests at or within one-half mile of the above mentioned address.*

Respondent has leased property at 5225 East Marginal Way from February 17, 1987 to the present. Respondent leases approximately 6 acres from Manson Construction, which in turn leases the property from King County. Respondent holds no other property interests within one-half mile of 5225 East Marginal Way. Information sources for this response include Jim Borgen, Barry Meade, Bill Sayer, and documents provided.

- e. *State the dates during which Respondent conducted any business activity at or within one-half mile of the above mentioned address.*

February 17, 1987 to present.

- f. *Describe the nature of Respondent's business activities at the above mentioned address or within one-half mile of that address.*

The primary business activities at the property respondent leases at 5225 East Marginal Way are off-loading, storage, and distribution of cement and aggregate and operation of a concrete batch plant.

The cement off-loading process entails pumping cement from barges through a pneumatic system equipped with dust collectors to one of five cement silos. From the silos, cement is loaded into cement tanker trucks for distribution to customers, or pumped through a pipeline for use in the concrete batch plant. A truck spray bar is available for customer tanker trucks to use upon exit from the property. Wash water from the spray bar is pumped to a stormwater detention vault, where it is treated for pH and turbidity and then re-used in the concrete batch plant.

The aggregate off-loading process entails using a loader to off-load material from a barge to a hopper, then to dump trucks for placement in the proper stockpile (e.g., crushed rock or round rock). From the stockpiles, the aggregate is either loaded into dump trucks for distribution to customers or transferred by conveyor for use in the concrete batch plant.

The concrete batch plant mixes cement and aggregate to make concrete and load it into mixer trucks for delivery to customers. The batch plant has a low-pressure natural gas boiler used during winter months to heat water for use in producing concrete above certain temperatures. When mixer trucks return after a pour, remaining concrete, if any, is poured into forms to make ecology blocks. Mixer truck drums are washed out using a system that separates and reclaims the sand, rock, and slurry. The sand and rock are returned to the stockpiles for re-use and the slurry is stored in tanks, then pumped back to the batch plant for re-use in making concrete.

The other activities on the property are a maintenance facility, a concrete testing lab, vehicle fueling, and small administrative offices. The maintenance facility is used to maintain and repair trucks, loaders, and forklifts. The concrete testing lab uses small buckets of different types of aggregates to make relatively small concrete cube samples to test for strength and other properties. These samples are hauled off-site for crushing and re-use. Information sources for this response include Mike Bennett and documents provided.

- g. *In relation to your answer to the previous question, identify all materials used or created by your activities at the above mentioned address, including raw materials, commercial products, building debris, and other wastes.*

The main raw materials used in the activities on the property are cement and aggregate (both hauled by barge from other locations) and water. The only product created on the property is concrete. The products distributed from the property are cement, aggregate, and concrete. The concrete process uses commercial additives to give the concrete certain properties.

Vehicles and equipment used to support the concrete and aggregate off-loading and distribution activities (loaders, forklifts, conveyor, etc), as well as mixer trucks that carry concrete from the property, use diesel fuel, oil, lubricants, grease, and antifreeze. The stormwater detention system uses carbon dioxide injection to maintain pH within limits, as well as a flocculent to remove solids. The response to Request 2.e provides more information that is responsive to this request. Information sources for this response include Mike Bennett, Kyle Nelson, and documents provided.

- h. *If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:*
- i. *the U.S. Bankruptcy Court in which the petition was filed;*
  - ii. *the docket numbers of such petition;*
  - iii. *the date the bankruptcy petition was filed;*
  - iv. *whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and*
  - v. *a brief description of the current status of the petition.*

Not applicable.

## 2. Site Activities and Interests

- a. *Provide all documents in your possession regarding the ownership or environmental conditions of the property mentioned above, including, but not limited to, copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs.*

Documents responsive to this request are provided. Respondent does not have any ownership interest in the property. The property is part of a larger parcel owned by King County and leased by the County to Manson Construction & Engineering Company (lease documents provided in response to this request indicate that the County entered into its lease agreement with Manson in 1976). King County gave its consent on December 16, 1986 to allow Manson to sublease a portion of Manson's leasehold to a respondent predecessor company. On February 17, 1986, Manson entered into a sublease for approximately 6 acres with a respondent predecessor company for a basic term beginning February 17, 1986 and ending July 31, 2011. Copies of lease-related documents in respondent's possession are provided in response to this request. Respondent has no other knowledge or information regarding the ownership of the site.

Respondent understands the phrase "environmental conditions" to refer to documents relating to surface or subsurface conditions at the property, including any known contamination on or under the site, as well as drawings or images showing the existence or condition of structures and other development on the site. As a lessee, respondent does not have in its possession exhaustive site documentation. The information sources for this response are the documents provided.

- b. *Provide information on the condition of the property when purchased; describe the source, volume, and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways.*

Respondent did not purchase the property at 5225 East Marginal Way, but rather has leased it since February 17, 1987. When respondent first leased the site, it was a paved storage yard with two existing buildings – a maintenance shop and a portal office. Respondent constructed the cement terminal and ready mix plant that are on the property now under contract with Baugh Industrial Contractors. Documents relating to these construction activities have been provided in response to Request 2.a. Respondent does not have any records indicating that any fill was necessary or used in the construction. Respondent uses the dock that existed when it originally leased the property and has not constructed any new waterside structures such as seawalls, wharves, docks, or marine ways at the property. Information sources for this response include Bill Sayer, Mike Bennett, and documents provided.

- c. *Provide information on past dredging or future planned dredging at this site.*

Documents responsive to this request are provided. Respondent does not have any current plans for future dredging, though the nature of the Waterway is such that periodic dredging is necessary to maintain the dock operation.



- d. *Provide a brief summary of the activities conducted at the site while under Respondent's ownership or operation.*

Please refer to the response to Request 1.f.

- e. *Provide all documents pertaining to sale, transfer, delivery, disposal, of any hazardous substances, scrap materials, and/or recyclable materials to this property.*

The response to this request combines the response to Request 2.g below. Among the documents provided in response to these requests is a current list of chemical products purchased by respondent for use at the property, which includes the manufacturer for each product. The list includes concrete additives that are mixed into the concrete in the batch plant (also known as admixtures), manufactured by Master Builder Technologies, and substances used to maintain and repair vehicles, parts, and equipment, including oils, lubricants, grease, antifreeze, cleaners, solvents, and sealants. Respondent also purchases diesel fuel, which delivered to the property and stored in a 10,000 underground storage tank, and gas bottles containing oxygen, acetylene, nitrogen, and an argon/carbon dioxide mix.

Substances such as the concrete additives and oils are stored with secondary containment. When waste oils, oil filters, lubricants, grease, solvents, or antifreeze are generated, a recycler such as Safety-Kleen Systems, CleanCare Systems, or Emerald Services is retained to remove the materials from the property. Scrap metal has been periodically collected and picked up by metal recycling facilities.

Comprehensive documentation pertaining to respondent's purchase and use of these substances is not readily available. The documents provided, however, are representative of the waste generated. These include Tier 2 Emergency and Hazardous Chemical Inventory (Community Right-to-Know) forms, waste manifests, and state annual reports. Information sources for this response include Mike Bennett, Kyle Nelson and documents provided.

- f. *Provide all information on electrical equipment used at the facility, including transformers or other electrical equipment that may have contained polychlorinated biphenols (PCBs).*

Respondent has no knowledge of transformers or other electrical equipment on the property that may have contained PCBs.

- g. *Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the facility for facility operations.*

Please refer to the response to Request 2.e above.

- h. *Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping,*

*ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer. With respect to past site activities, please provide copies of any stormwater or drainage studies, including data from sampling, conducted at these properties. Also provide copies of any Stormwater Pollution Prevention or Maintenance Plans or Spill Plans that may have been developed for different operations during the Respondent's occupation of the property.*

Documents responsive to this request are provided. In 1999, respondent installed a stormwater detention and treatment system, which allows the facility to re-use captured water in the concrete batch plant.

**3. Information About Others**

- a. Describe business relationships you have had with Genstar Sand and Gravel Company, Cadman Inc., Ocean Cement and Supplies Limited, Inland Cement Limited, and Tilbury Cement Company regarding this property or operations thereon.*

Lehigh Northwest and Cadman are affiliated companies. Genstar Sand and Gravel Company and Tilbury Cement Company are former names of Lehigh Northwest Cement Company. Ocean Cement Limited was a former name of Lehigh Northwest Cement Limited, which is a related company of Lehigh Northwest Cement Company and Cadman. Lehigh Northwest Cement Limited is a current supplier to Lehigh Northwest Cement Company. Inland Cement Limited is a former name of Lehigh Inland Cement Limited, which is a related company of Lehigh Northwest Cement Company and Cadman. Information sources for this response include Jim Borgen, Barry Meade, and Bill Sayer.

- b. Provide copies of leases you have entered into with respect to this site.*

Documents responsive to this request are provided.

- c. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned site.*

Respondent is a tenant at the property and has never entered into a sublease that would allow third party use of its leasehold interest. Respondent has no direct knowledge regarding lessees and their activities before it entered into its lease with Manson Construction in 1987, but lease documents provided in response to this request indicate that Manson previously leased the site to Alaska Aggregate Corporation d/b/a Pacific Western Lines. In 1987 Pacific Western Lines assigned its leasehold interest in the property to a respondent predecessor company.

- d. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase,*

*storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the Site.*

Kyle Nelson – 425-961-7311  
Mike Bennett – 206-763-9190  
Jason Adcox – (425) 766-6088  
Paul Rearick – (425) 867-1234  
Ken Eidsmoe – (425) 867-1234  
Scott Brown – (425) 867-1234  
Mike Keller – (425) 531-2629  
Reuben Veil – (253) 639-9118  
Greg Thibodeux – (425) 961-7241  
Randy Polhamous – (425) 961-7201  
Robin Hansen – (206) 985-8044  
Kyle Nelson – (425) 961-7311  
Stan Strom – 360-403-9124  
Corey Solsten – 425-205-0664  
Brian Hamshaw – 206-295-0197  
Patty Johnson (Patty Byrne) – 253-813-2132  
Penny Sherwood – 360-866-5297  
Cindy Brown – 253-630-7443

4. Financial Information

- a. *Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2002, 2003, 2004, 2005 and 2006. Provide the federal Tax Identification Number and, if documentation is not available, explain why in detail.*

The respondent entities do not file federal income tax returns on a separate legal entity basis; they are part of an affiliated group filing a single consolidated federal income tax return. In order to respond to this question, therefore, consolidating schedules from the federal income tax returns are provided, showing taxable income and opening and closing balance sheets for the entities discussed in response to Request 4.c. The documents provided in response to this request are **Confidential Business Information**, as they contain sensitive financial data that the companies take reasonable measures to protect from disclosure to the public and competitor companies and which is not reasonably obtainable without company consent. The documents are located on a separate "Confidential Business Information" disk.

- b. *Provide the Respondent's financial interest in, control, or that the Respondent is beneficiary of any assets (in the U.S. or in another country) that has not been identified in your federal tax returns or other financial information to be presented to EPA. If there are such assets, please identify each asset by type of asset, estimated value, and location.*

To the best of respondent's knowledge, there are no assets that it has a financial interest in, is a beneficiary of, or controls, which are not included in the enclosed income tax return schedules.

- c. *If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:*
- i. *a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business, operations at the Site;*
  - ii. *the dates such relationship existed;*
  - iii. *the percentage of ownership of Respondent that is held by such other entity(ies);*
  - iv. *for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;*
  - v. *provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at the Site; and*
  - vi. *provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.*

Lehigh Cement Company, 7660 Imperial Way, Allentown, PA 18195, is the parent corporation of Lehigh Northwest Cement Company and Cadman (Seattle), Inc., and owns 100% of each. The Lehigh Cement Company current directors are Helmut S. Erhard, Bernd Scheifele, and Lorenz Näger, and current officers are Helmut S. Erhard, Albert Scheuer, Jeffry H. Brozyna, Robert Breyer, Michael J. Lewis, Patricia A. Student, Joan B. Cole, John Hutchinson, and Patrick M. Lydon. The parent of Lehigh Cement Company, which owns 100% of its stock, is Heidelberg Cement, Inc., 7660 Imperial Way, Allentown, PA 18195. The Heidelberg Cement, Inc. current directors are Helmut S. Erhard, Bernd Scheifele, and Lorenz Näger, and current officers are Helmut S. Erhard, Albert Scheuer, Jeffry H. Brozyna, Michael J. Lewis, Patricia A. Student, Joan B. Cole, John Hutchinson, and Patrick M. Lydon. Heidelberg Cement, Inc. is an indirect subsidiary of Heidelberg Cement AG.

Other affiliated Cadman entities are Cadman, Inc., Cadman (Rock), Inc., Cadman (Black Diamond), Inc., and Cadman Holding Co., Inc. The Cadman, Inc. current directors are Helmut S. Erhard, Michael J. Lewis, and James G. Brown, and the current officers are Barry Meade, Michael J. Lewis, Richard T. Harper, Robert Johnson, William R. Sayer, Douglas R. Hatmaker,

Jeffrey H. Brozyna, and Patrick M. Lydon. The Cadman (Rock), Inc. current directors are Helmut S. Erhard, Michael J. Lewis, and James G. Brown, and the current officers are James G. Brown, Richard T. Harper, Barry Meade, James D. Purcell, Michael J. Lewis, William R. Sayer, Douglas R. Hatmaker, and Jeffrey H. Brozyna. The Cadman (Black Diamond), Inc. current directors are Helmut S. Erhard, Michael J. Lewis, and James G. Brown, and the current officers are James G. Brown, Richard T. Harper, Barry Meade, James D. Purcell, Michael J. Lewis, William R. Sayer, Douglas R. Hatmaker, and Jeffrey H. Brozyna. The Cadman Holding Co., Inc. current directors are Helmut S. Erhard, Michael J. Lewis, and James G. Brown, and the current officers are James G. Brown, Michael J. Lewis, and Jeffrey H. Brozyna. The Cadman entities are located at 7554 – 185<sup>th</sup> Avenue N.E., Suite 100, Redmond, WA 98052.

Respondent is not aware of any insurance policies other than those described in response to Request 5 that may possibly cover respondent's liabilities, if any, at the property. Financial information is provided in response to Request 4.a.

5. Insurance Coverage

- a. *Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the site or facility and/or Respondent's business operations (including, but not limited to, Comprehensive General Liability, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies). Include, without limitation, all primary, excess, and umbrella policies which could be applicable to costs of environmental investigation and/or cleanup, and include the years such policies were in effect.*

The Comprehensive General Liability policy for the 2007 policy year is provided in response to this request. The coverage provisions in this policy are representative of the terms and conditions in CGL policies for prior years. In the coverage section of the policy under exclusions, pollution is excluded from inclusion within the Comprehensive General Liability policy. The Umbrella policies extend the underlying terms of the primary policies. Lists of the policies in effect from 1986 to the present have been prepared and are provided. None of the policies provide any coverage for costs of environmental investigation or cleanup. Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies have not been purchased. The documents provided in response to this request are **Confidential Business Information**, as they contain confidential information the companies take reasonable measures to protect from disclosure to the public and competitor companies and which is not reasonably obtainable without company consent. The documents are located on the separate "Confidential Business Information" disk.

- b. *If there are any such policies from questions a & b above of which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible:*
- i. *the name and address of each insurer and of the insured;*
  - ii. *the type of policy and policy numbers;*

- iii. *the per occurrence policy limits of each policy; and*
- iv. *the effective dates for each policy.*

Please refer to the response to Request 5.a.

- c. *Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified at the beginning of this request, and identify the time period during which such broker or agent acted in this regard.*

The following brokers have placed insurance for respondent: Marsh & McLennan (1986–2000); Marsh USA (2000–present); AON Risk Services (1986, 1995–2000); Bayly, Martin & Fay (1987).

- d. *Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the site. Include any responses from the insurer with respect to any claims.*

No such claims in connection with this site are known.

- e. *Identify any previous settlements with any insurer in connection with the site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.*

No such settlements with any insurer in connection with this site are known.

- f. *Identify any and all insurance, accounts paid or accounting files that identify Respondent's insurance policies.*

Not applicable. Lists of policies in effect during the relevant period are provided in response to Requests 5.a and 5.b.

- g. *Identify Respondent's policy with respect to document retention.*

The document retention policy for the Cadman entities is provided. Lehigh Northwest does not have a document retention policy.

- 6. Compliance with This Request. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- a. *the name and current job title of all individuals consulted;*

The following individuals were consulted in providing substantive responses to this request:

- Jim Borgen, Vice President, Sales, Lehigh Northwest

- Michael Bennett, Terminal Manager, Lehigh Northwest
- Barry Meade, Vice President & General Manager, Cadman
- Bill Sayer, Vice President Aggregates, Cadman
- Kyle Nelson, Regulatory Compliance Specialist, Cadman
- Ivan Urnovitz, Director of Safety and Environ. Services, Cadman
- Bradd Statley, Director of Terminals, Lehigh Northwest
- Howard Hawk, Ready Mix Trucking Superintendent, Cadman
- Sam Turner, Supervisor, Cadman
- John Hutchinson, Senior Director of Taxes, Lehigh Cement Company
- David Rydzewski, Director of Risk Management, Lehigh Cement Company

b. *the location where all documents reviewed are currently kept.*

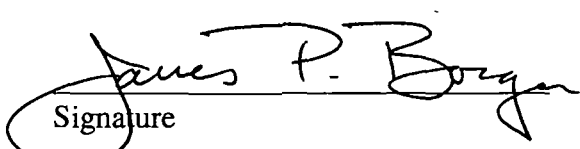
The documents reviewed to respond to this information request originated from the following locations:

- Lehigh Northwest Cement Company Corporate Office: 7777 Ross Road, PO Box 950, Delta, BC V4K 3S6 Canada
- Cadman Corporate Offices: 7554 185<sup>th</sup> Ave NE, Suite 100, Redmond, WA 98052
- Lehigh Northwest Cement Company Regional Office: 2115 N. 30<sup>th</sup> Street, Suite 202, Tacoma, WA 98406
- Lehigh Cement Company Corporate Headquarters: 7660 Imperial Way, Allentown, PA 18195

## DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent Lehigh Northwest Cement Company and that the foregoing responses to the U.S. EPA's September 17, 2007 CERCLA Section 104(e) Information Request relating to Lehigh Northwest Cement Company's operations at 5225 East Marginal Way, Seattle WA are complete, true, and correct.

Executed on DEC. 12, 2007.

  
Signature

JAMES P. BORGAN  
Type or Print Name


VICE PRESIDENT SALES  
Title



## DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent Cadman (Seattle), Inc. and that the foregoing responses to the U.S. EPA's September 17, 2007 CERCLA Section 104(e) Information Request relating to Cadman (Seattle) Inc.'s operations at 5225 East Marginal Way, Seattle WA are complete, true, and correct.

Executed on Dec. 13, 2007.

  
Signature

William R. SATER  
Type or Print Name

Vice President, Aggregates  
Title